

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

TED MARCUM,	:	Case No. 3:17-cv-00437
	:	
Plaintiff,	:	District Judge Walter H. Rice
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
SHERIFF DAVE DUCHAK, et al.,	:	
	:	
Defendants.	:	
	:	

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**DECISION AND ENTRY**

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The Court has conducted a *de novo* review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #114), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections, if any, under Fed. R. Civ. P. 72(b), has expired, this Court hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations docketed on May 12, 2020 (Doc. #114) is ADOPTED in full; and
2. Defendant Sheriff Dave Duchak's Motion to Dismiss for Failure to Prosecute (Doc. #106) is DENIED .

**IT IS SO ORDERED.**

06/02/2020

  
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Walter H. Rice  
United States District Judge

